



Docket No. 1640.1035

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Yozo Shoji et al.

Serial No.: 10/563940

Filed: 01/10/2006

For: MILLIMETER-WAVE-BAND RADIO COMMUNICATION METHOD IN WHICH BOTH A MODULATED SIGNAL AND AN UNMODULATED CARRIER ARE TRANSMITTED TO A SYSTEM WITH A RECEIVER HAVING PLURAL RECEIVING CIRCUITS (as amended)

TERMINAL DISCLAIMER
UNDER 37 CFR 1.321(b)

**TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE
PATENTING REJECTION (37 C.F.R. 1.321(b))**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

**INTEREST AND TITLE OF PERSON MAKING THIS
TERMINAL DISCLAIMER**

I, Luminita A. Todor, represent that I am the attorney of record for this application and am authorized to sign on behalf of the Assignee.

IDENTITY OF ASSIGNEE

The Assignee is NATIONAL INSTITUTE OF INFORMATION AND COMMUNICATIONS TECHNOLOGY, a corporation organized and existing under the laws of Japan having an office and principal place of business at 4-2-1 NUKUI-KITAMACHI, KOGANEI-SHI, Tokyo, Japan.

RECORDAL OF ASSIGNMENT IN USPTO

The Assignment of the above-identified application was recorded in the U.S. Patent and Trademark Office on 01/19/2006 at Reel 017464, Frame 0643.

COMMON OWNERSHIP OF U.S. PATENT NO. 7,251,461

Pursuant to Rule 3.73(b), the Assignee is the current owner of the subject application pursuant to the Assignment identified below. Assignee further confirms that it remains the owner of U.S. Patent No. 7,251,461, consistent with the indication of the Assignee on the face thereof.

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CERTIFICATION OF TITLE

The evidentiary documents have been reviewed and the undersigned certifies that, to the best of said Assignee's knowledge and belief, title of the above-identified application and U.S. Patent No. 7,251,461 is in the said Assignee.

TERMINAL DISCLAIMER

Assignee hereby disclaims the terminal part of the statutory term of any patent, granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent No. 7,251,461 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 7,251,461. This agreement runs with any patent granted on the above-identified application and is to be binding upon the grantee, its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned hereby declares that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FEE

The requisite disclaimer fee under 37 C.F.R. §1.20(d) of \$140.00 is attached hereto.

Date: Oct. 10, 2008

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